



*Planning & Building Department*  
***Minutes – City Planning Commission***

June 2, 2005 Meeting

6:00 P.M. June 2, 2005  
COUNCIL CHAMBER, CITY HALL  
3900 MAIN STREET

**MINUTES APPROVED AS PRESENTED  
AT THE JULY 21, 2005 MEETING**

COMMISSIONERS PRESENT: Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary,

COMMISSIONERS ABSENT: Brown, Maloney, Stephens

STAFF PRESENT: Gutierrez, Planning Director  
Aaron, Principal Planner  
Jenkins, Diane, Senior Planner  
Brenes, Associate Planner  
Milosevic, Associate Planner  
Smith, Deputy City Attorney  
Andrade, Stenographer

**THE FOLLOWING BUSINESS WAS CONDUCTED:**

Chair Leonard called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was given to the Flag.

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**A. PUBLIC HEARING - 6:00 p.m.**

1. **PLANNING CASE P04-0178:** Planning Commission review of the General Plan 2025 Program and related Final Program Environmental Impact Report (SCH NO. 2004021108). The General Plan 2025 Program consists of the following components: 1) the City of Riverside General Plan 2025; 2) the comprehensive revision of the City of Riverside Zoning Code (Title 19 of the Municipal Code) and the rezoning of properties to reflect new zone names; 3) the comprehensive revision of the City of Riverside Subdivision Code (Title 18 of the Municipal Code); 4) the Citywide Design Guidelines; and 5) the Implementation Plan.

Chair Leonard explained the procedures for tonight's meeting. He announced that the hearing would be opened up in sections, the first section is the Environmental Impact Report (EIR) for all the components. He explained that by law the Commission must act on the environmental document first. The public hearing will be opened for comments only on the EIR then staff will walk the Commission through the actions the Commission needs to take at which time the Commission will vote on the EIR. The same procedure will be taken regarding the General Plan.

**Program Environmental Impact Report (PEIR)**

Chair Leonard opened the public hearing to comments on the EIR only. There was no one in the audience wishing to speak on the EIR and the public hearing was closed.

**MOTION MADE** by Commissioner Singletary, **SECONDED** by Commissioner Norton, **TO APPROVE** the General Plan Program Environmental Impact Report per staff's findings and recommendations as stated in the staff report.

Chair Leonard brought up the issue of noise as it relates to noise generated by trains. Several commissioners have indicated that they would like the EIR to capture intermittent noise events brought on by trains or things that aren't consistent noise events throughout the day. The conventional measurement used is weighted over a 24 hour period. He would propose an additional mitigation measure for this: "Recognizing intermittent high noise levels in the neighborhood resulting from increase rail traffic; Recognizing increased traffic congestion and road hazards resulting from increased rail traffic; and Recognizing the increasing danger to the public welfare for emergency vehicles to respond to calls due to blocked access routes created by increased rail traffic." He recommended that a policy be incorporated into the relevant sections of the EIR calling for the creation of a task force or equivalent to evaluate short and long term conditions resulting in increased rail traffic and to develop regular communications with the railroad, particularly Union Pacific Railroad. To identify feasible mitigation options including grade separation, tunneling or rail realignments or other such actions as necessary to protect the health, safety and welfare of the citizens in Riverside.

Commissioner Norton stated that it was her understanding, if and when the railroad had a project that came through the City of Riverside, that this would probably trigger an EIR. She wanted to further recommend that when this does happen that the City recommend mitigation measures to the EIR. One of the mitigation measures could be grade separations. Along those lines, really looking at mitigation when they do have an EIR.

Chair Leonard stated that his concern is that all the direction is strictly focused on grade separations which are very expensive, one intersection at a time. He would hope that this proposal would consider other options to review, all of them with the economics behind it as to what makes sense.

Commissioner Densmore stated he did not have a problem with that addition. He questioned its effectiveness since there is really no way to leverage the railroad to the table. As long as everyone understands that committees can be appointed but if the railroad doesn't come to the table there isn't much that can be done.

Chair Leonard agreed that the railroads are not within the jurisdiction of Riverside, all that can be done is develop a means to create an environment for communication. The City is well underway in terms of grade separation priorities, it is just a means of trying to beef up that process.

Commissioner Singletary, as the maker of the motion, stated that he would agree with adding Chair Leonard's recommendation to the Environmental Impact Report. The railroads will do what they want to do but at some point in time he would hope the railroads or whoever would take note.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Kurani, Maloney, Stephens

Commissioner Kurani arrived at this time.

## **General Plan 2025**

Chair Leonard opened the public hearing for public comment on the General Plan. He stated there would be one hour allotted to public testimony on the General Plan, everyone would have up to three minutes for comment.

R.A. Barnett ,CSA 126 in Highgrove, stated that he was disappointed that for the last two months no one from the City has been able to attend their meeting. Mr. Gutierrez has indicated he would possibly attend the June 28 meeting. He extended the invitation to the Commissioners, to attend the meeting June 28 at 459 Center Street in Highgrove at 7:00 pm.

Lee Cousins, number one speaker for the City/County Arroyo Watershed Committee, addressed the Commission. He spoke regarding the arroyos in Riverside. He stated that the City/County ArroyoWatershed Committee together with the Riverside/Corona Resource Conservation District recommended that the General Plan document change to more clearly reflect the policy set forth in the introduction by mentioning the additional significant arroyos in the City, some of which originate within the Southern Sphere of influence. Proposition R and Measure C in addition to protecting the greenbelt and hills, aim to protect the arroyos.

Arlee Montalvo, representative of the City/County Watershed Committee and Riverside/Corona Resource Conservation District, addressed the Commission. She commented on the City's Hillside Grading Ordinance. She noted that the important arroyos not yet mapped within the Grading Ordinance include: Sycamore Canyon, Box Springs, Big Springs/University, Castle View, La Sierra, Priad, and Harrison arroyos and creeks. All of the Castlevue and most of Sycamore Canyon creek are within the City, the others have head waters or significant portions within the County in the City's Sphere of Influence. All of these arroyos have significant riparian vegetation within the City Planning area. She pointed out that the County is entertaining plans to protect these important arroyos outside City boundaries.

Erin Snyder, 1645 Mathews, representative of the City/County Watershed Committee, stated that their concern is that these arroyos, within the City, are not included in the Plan. She said that all of these arroyos and creeks contain healthy riparian habitat that they would like to see included in the Grading Ordinance of the General Plan.

Commissioner Densmore asked for clarification as to whether they are requesting that these arroyos be identified by name as well as technical description. He also asked if they were comfortable in that they have identified all of the arroyos.

Ms. Snyder stated that their main concern is that staff has identified six major arroyos and they want all of the them to be of concern.

Ms. Montalvo also added that it is possible they may have missed some in their studies. The language within the General Plan should make it clear that all of the significant blue line streams that still have habitat should be protected. The problem is that the way it is worded now it sounds that only those six arroyos mapped in the Grading Ordinance are protected.

Allison Krumbein, Bingham McCutchen, stated that her firm represents Goodrich Aerostructures Group. She was present at the May 19<sup>th</sup> meeting. Prior to this meeting they had submitted a letter detailing proposed modifications they had to the General Plan and Zoning Code. She was here to speak on the General Plan portion. Their objectives remain the same with regard to the Rohr property on Arlington Avenue. They would like to make it clear that the existing use of the property as an aerospace manufacturing facility is permitted as a matter of right. They would like to retain flexibility as to the eastern 15 acres of the property. This has been subject to discussions between Goodrich and the City's Redevelopment Agency. Finally, they would like to ensure that the existing structures remain conforming after adoption of the new Land Use regulations. After reviewing the staff report for this evening, they were disappointed to find that there were no recommendations as to their proposals. They have put together another letter in response to the staff report, she apologized for not providing this to the Commission sooner. She reiterated their preferred approach to modify the General Plan to make it clear that the use of the facility as it currently is, is permitted. They believe the City supports the continued operation of the facility but the current text in the General Plan does not make that clear. They are concerned that the General Plan could be misinterpreted by future staff or future Commissioners. They realize there are a number of approaches to achieve their goal and have suggested three other possibilities in their letter as a starting point for discussion. She asked the Commission to provide staff with direction as to their proposal to find a solution that is mutually acceptable.

Ken Gutierrez, Planning Director, pointed out that nonconforming and permitted uses, are a Zoning issue, not General Plan. The Zoning governs whether the uses are permitted or not, not the General Plan.

Chair Leonard noted that they are trying to stay out of a nonconforming situation based on the General Plan designation. He asked if the General Plan, Business Office Park, would allow the range of zones that would permit this use.

Mr. Gutierrez stated that he was not sure he could answer the question now. He did not know all of the various components of the Goodrich Facility. Certainly, many of the components are permitted and will be permitted in the BMP Zone and without further research he could not fully respond to the question.

Elizabeth Frances, 3191 Van Buren Blvd., representing the Frances Family, asked if this was the time to ask questions regarding the rezoning and if not when would that be.

Chair Leonard replied that the Zoning Code would come up on the next segment after the General Plan. He stated that he did not believe it would be tonight.

Marilyn Jacobsmeyer, 6629 Lassen Court, stated she owned property at 3469 Bonita Avenue. She said she opposed the rezoning of the 73 homes at Magnolia Center.

Colonel Vincent Scarano, 3474 Carlsbad Way, read a letter, for the record, from Council member Gage dated May 20, 2005 to the Planning Director. He commended the Commissioner's for their service on the Commission. He requested that the Commission intervene on the behalf of the neighborhood.

Yolanda Garland, resident of La Sierra, stated that from all appearances, the affected property owners have gotten a reprieve, at least momentarily. Council member Gage's statement at the last meeting was that he was not supporting the proposed project, "at this time" and that it would be up to the Planning Commission. It is unconscionable that these residents have had to endure this unnecessary anxiety and constant worry for many weeks. She pointed out that the process still left many residents in the La Sierra/Arlanza area as well as businesses enduring the same uncertainties.

John Giardinelli, attorney for the Inland Valley Association of Realtors at 3690 Elizabeth, stated that he has been instructed by the Board of Directors to request Mixed Use Village or Mixed Use Urban for the site. They have two properties, one at 3690 Elizabeth, current office building, adjacent to and impacted by the railroad tracks. The Association has a store on-site and a number of other services it provides to members of the organization and to the public. They have experienced a growth of approximately 20% and there are a number of future needs that must be contemplated in terms of both the site they have and the site they would look to for future development, which is across the street. The goal is to take the property they have now build there and create the type of environment that they will ultimately want and use the site adjacent to the railroad tracks as the parking lot. He asked that the Commission to reconsider their site, they are adjacent to a number of properties that are currently residential. It seems to them that this area would be better off as a transition zone.

Chair Leonard noted that the letters submitted on these sites show the properties to be non-contiguous. There appears to be a parking lot across the street from the Board of Realtor's office.

Mr. Giardinelli noted that the parking lot is what he was referring to as the future development site. In terms of the potential for use, they would be constricted from their development. Whether or not they would be a conforming use as opposed to nonconforming but permitted use, obviously that has lots of impacts. Certainly, as of right now they are looking to upgrade the building presently for immediate use with an understanding that at some juncture the Association and its needs will be so large that they will need to do something, more than likely it will entail moving.

Steve Whyld spoke on behalf of the owner indicated on Item T of the agenda, formerly the GEMCO site. The site has been underutilized for many years and the majority of the site is currently vacant. He stated that the reasoning for this is that the property is relatively narrow, very deep and with very limited visibility from Magnolia Avenue. The property owner is in the process of re-evaluating the use of the site. They believe that the better use of the property would be Mixed Use Village. The intent is to redevelop the site with for sale condominiums and new retail immediately adjacent to the Magnolia Avenue frontage. The Mixed Use Village designation already exists adjacent to this property to the west. Their request would be to extend the Mixed Use Village designation one more parcel to include this site. They are actively working with the Planning Department on a site plan for this property and hope to proceed with a development in the near future.

Ernest Pintor, 4260 Isabella, representing Lou Sheridan, two parcels between Magnolia and Primrose APN: 234-091-011 and -012, addressed the Commission. At this time the parcels are proposed for the General Plan Mixed Use Village designation. They do not believe the Mixed Use Village designation is appropriate for this area. They would like to see Medium High Density Residential.

Chair Leonard pointed out that the Zoning will remain R-1 unless someone files an application to implement the mixed use zone. The property can still be developed R-1. He understood Mr. Pintor's request but wanted to make this clarification and asked if this gave him any comfort level.

Mr. Pintor replied affirmatively.

Brian Percy, representing property owners in area M and X, Standard Lime Products to the north of Jurupa Avenue near the intersection of Fremont, and Driscoll Automotive on the corner of Fremont and Jurupa. He commended staff for the work on the General Plan, excellent job and well done. He made a minor suggestion to create an index and or tabs when referring to the figures and sites. He extended his appreciation and commendation to the Commission for their efforts. Since he last spoke with the Commission on a couple of occasions, staff has changed their recommendation as to area M indicating that the proposed General Plan of Business Park should changed to Industrial. His client to the north would prefer to maintain his manufacturing designation but he is in concurrence with this recommendation and is appreciative of that. However, looking to the south dealing with the properties bounded by Jurupa, Fremont and Mountain View, these are properties that fall within the same type of square footage and usage as those to the north: automotive repair, light industrial, etc. The staff in their updated recommendations did not include area X for revision. The reason he is here tonight is to suggest that area X also be included with the recommendation to Industrial, not to Business Office Park. Many of the arguments the Commission has already heard from the property owners to the north of Jurupa also

apply to those business and property owners to the south. He thanked the Commission for their consideration.

Michael Frederick, owner of Driscoll Automotive at 6110 Jurupa, stated he did not approve of the new designation. He would like to be included with the properties across the street as Industrial. He felt that any other zoning would hurt his business.

Kimberly Sparkman, Sparkman's Garage at 5958 Jasmine, spoke regarding the preservation of industrial land. This is a focus of this General Plan but what she has observed is that most of the industrial areas are being downgraded. She noted that Driscoll's Automotive is on the opposite side of Jurupa, he is in their petition, and it only makes sense to take some of these areas and make them industrial, not to downgrade them. She asked the Commission to keep this in mind. She asked that the industrial land be preserved, not as Manufacturing Park.

Tom Hunt spoke on behalf of California Baptist University regarding area Z. He also thanked staff for staff's assistance. California Baptist University is a major stakeholder on Adams Street noted as area Z. The area is proposed to be designated Mixed Use Village which they support, however, they asked that the area Briarwood to the 91, Adams Plaza, be designated Mixed Use Urban. They felt that the freeway frontage there and convenience to the commercial energy of the auto center along with the rapidly growing University, offers a unique opportunity outside the Downtown area to create an urban setting. He asked that the Commission consider this and added that this was a position endorsed by the University and the Chambers of Commerce.

Terry Frizzel, 11290 Arlington Avenue, thanked the Commission for siding with the citizens of Riverside that do make this a livable City. She read the article in the newspaper regarding the residential neighborhood. She recalled that the City was concerned many years ago that there wasn't a lot of industrial areas in Riverside. She stated that this was essential in order to have a livable city. There should be more industrial zoning in the Jurupa Avenue area, it shouldn't all be Manufacturing Park. She reminded the Commission that the area can be upgraded by assisting those businesses and developing this type of usability allowed in the Industrial Zone which will not take away from the beautification the City proposes around the airport. She thanked the Commission and hoped that their recommendations to the City Council would be in the best interest of the City of Riverside.

Tim D'agostin, 3478 Laura Lane, thanked the Commission for listening to the residents.

Richard Paul stated that he also resided in the neighborhood under consideration. His purpose in speaking tonight is to thank the Commission. He understood that the Council was the ultimate vote but asked that the Commission not support the proposal.

Hubie Byrne spoke on behalf of Sugarbush Properties and Townsquare Center at University and Chicago. He stated that they have been proposed for the General Plan MUV designation. He requested that the Commission consider MU Urban based on the fact that they do have transit that comes to their property. They are facilitating services and such to the University. There is consideration behind them on 10<sup>th</sup> for an educational facility. Based on these facts, it will open the scope as to what they can do with the property based on tenancy and what they can develop, the Mixed Use Urban would facilitate them and the City of Riverside.



Mary Humbolt, 7407 Dufferin, said that she believes the General Plan is inadequate when it deals with noise, air pollution, and light pollution. The General Plan does not show how far train noise impacts the residents and she would like to see this addressed more carefully.

Chair Leonard informed Ms. Humbolt that the Commission brought up train noise earlier. In order to beef up the effort toward dealing with train travel in terms of alignments, separate grade crossings, and even tunneling, to really pursue this aggressively.

Ms. Humbolt commented that people are moving into the greenbelt area and installing stadium lights which are inappropriate in the City. Also, with regard to air pollution if you add 80,000 new people inside the center core of the City and you think that because they live in a high rise buildings next to transit centers, they will not have cars is naïve at best. She asked that the Commission to uphold Prop R and Measure C, the two voter initiated growth control ordinances.

There was no one else in the audience requesting to speak, the public hearing was officially closed.

Commissioner Densmore wanted to let the Magnolia Center neighborhood residents know where the Commission stood on their issue. Secondly, he wanted to note that the mountain of material the Commission has received has been overwhelming. What concerns him, personally, is that he may have the best of intentions but may miss something in the details. What he will do is adopt a set of guidelines that he will look at for each of the decisions that he will be making as a way to keep himself focused. He distributed his draft guidelines for General Plan and Zoning Ordinance deliberations, to the Commissioners. He read them into the record and requested that if his fellow Commissioner's had similar guidelines or principles that they be made a matter of record now. The principles are as follows: 1. First Do No Harm; 2. If It Ain't Broke, Don't Fix It; 3. Proceed at the Public's Comfort Level; 4. Explain all Proposed Changes in Plan English, to Include ALL Ramifications and Justifications; 5. Obtain Endorsements from Appropriate Departments, Commissions and Committees Prior to Council Action; 6. Consider Complex Issues Separately.

He stated that his comments were not directed at staff, he has the greatest respect for Ken Gutierrez and the Planning staff and the effort they have put into this project.

Commissioner Densmore requested to proceed with action on the neighborhood area so well represented by the citizens tonight, bounded by 91 freeway, Riverside Avenue and Central Avenue out of order.

Chair Leonard asked Counsel whether in order for the Commission to begin acting on each of the components of the General Plan, do they need to read into the record the 11 point motion or can it be done at the end? It will not be the intention of the Commission to act on everything in one motion.

Kristi Smith, Deputy City Attorney, stated that the Commission can take direction or decisions regarding specific areas if they wish. With regard to the Resolutions and other issues that are done globally, can be done at the end.

Chair Leonard asked that the Commission follow the order of the staff report so that there is some means of keeping order to this. The first eight items are policy items that can be considered in one motion. He read the items 1 – 8.

**MOTION MADE** by Commissioner Norton, **SECONDED** by Commissioner Kurani, **TO APPROVE** Items 1 – 8 as outlined in the staff report.

Commissioner Densmore asked whether the Commission would take a stand on the item that is of most concern to the residents present tonight or vote on item I separately. He would like to relieve their anxiety and deal with the issue first. He stated that he would like to take this issue out of order.

Commissioner Kurani stated he would also support taking this item out of order and providing a closure for the residents.

**SUBSTITUTE MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Kurani, **TO PROCEED** with action on the neighborhood area so well represented by the citizens tonight, bounded by 91 freeway, Riverside Avenue and Central Avenue out of order.

Commissioner Norton stated she could support the motion but her feeling is that while she has a lot of compassion for people sitting in the audience, she also felt that the people in Jurupa as well as the people in La Sierra, are just as concerned about their neighborhoods. There is a lot of anxiety among a lot of people in the audience and she felt it was more democratic to proceed as it came through the Plan rather than to take it out of order.

**MOTION CARRIED** by a vote of 7 ayes to 1 no and 0 disqualified and 0 abstentions.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Singletary
NOES:	Sebelia
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

#### **Item 9 -- Area I**

**MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Kurani, **TO DENY** the request for the O- Office designation for Area I and retain the existing designation.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

## **Introduction – Item 1 and Land Use and Urban Design Element – Items 2-8**

Chair Leonard returned to Commissioner Norton's motion.

**MOTION MADE** by Commissioner Norton, **SECONDED** by Commissioner Kurani, **TO APPROVE** Items 1 – 8 as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

*The Commission took a five minute break.*

### **Item 9 -- Area A1**

Commissioner Comer asked whether the planning principle is to break the zoning designations at the street or mid-property line? In this instance the recommendation is to break it at the property line. He stated that the area would lend itself to higher density zoning along Cypress.

Ken Gutierrez, Planning Director, stated that it largely depends on the situation. As a general rule, he is very concerned about breaking designations at a street, especially if they are residential or there change in zoning because now you have one type of land use looking across the street at another type of land use. He would prefer, as a general rule, to break them at a property line. Especially a residential street where you have a significant change in designations, in this case there could be rural residential across the street, horse keeping and higher density on one side of the street and horse keeping on the other that could be an issue.

Chair Leonard said that the proposal establishes high density residential adjacent to semi-rural residential on two sides. He asked what staff's thinking was in terms of avoiding conflicts. He saw there was depth to some lots in the semi-rural residential. This is a lot of variation on one block in terms of high density commercial and semi-rural residential. It seems to be an incongruity to have large animal keeping lots adjoining apartments. He wondered whether a medium density should be where the semi-rural residential is proposed.

Ms. Jenkins noted that his question was regarding the three properties facing Crest Avenue and why staff was recommending these for high density residential rather than the semi-rural residential. She stated that the existing land uses on the properties with the exception of the one closest in are already developed with multi-family residential units so that the recommendation reflects the existing land use pattern. The General Plan designation is wrapping around to reflect the current land use pattern while keeping the larger lots as semi-rural lifestyle for the large animal keeping. She noted that currently the larger lots are currently zoned RR whereas the smaller lots are currently zoned R-3-1500.

Commissioner Densmore asked if staff recalled the family that was present and testified regarding this area. They were opposed to the line being drawn in the middle of the block as indicated by Commissioner Comer.

Ms. Jenkins pointed out that the lot owned by the property owner who provided testimony, is the first semi-rural lifestyle lot right off of Crest Avenue. As can be seen by the large size of the property and the neighboring properties to the west as well as the properties across the street, and the fact that it is currently zoned RR, it would be more appropriate to leave this property in the rural lifestyle.

Craig Aaron, Principal Planner, added that one of the concepts staff worked with was to preserve the animal keeping lifestyle and not encroach into those animal keeping rights. Once you start making in-roads it becomes hard to set the line again. There was also a General Plan consistency case for the properties on Gould, at that time, it was proposed to rezone those properties to R-1 which was not approved and the R-3 was kept which is the reason for the high density residential on those properties. As far as Semi-rural designation staff is trying to establish a line and hold that line to preserve the animal keeping lifestyle of the community.

**MOTION MADE** by Commissioner Norton, **SECONDED** by Commissioner Agnew, **TO APPROVE** Area A1 as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

#### **Item 9 -- Area A2 – 4425-4625 Van Buren Blvd.**

Chair Leonard stated that he agreed in concept to what staff is trying to do but he would not want to see these properties developed individually for high density uses. How can it be done that the area maintains the minimum lot area or some control and order over how this can develop?

Ms. Jenkins explained that the implementing zoning for High Density Residential would be the R-3 Zone and it has, under the new Zoning Code, a minimum lot size requirement of one acre.

Mr. Gutierrez added that this is a General Plan designation, currently the Zoning is R-1, anyone coming in would have to rezone the property to R-3 and at that time the Commission could say yes or no.

**MOTION MADE** by Commissioner Kurani, **SECONDED** by Commissioner Norton, **TO APPROVE** Area A2 as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
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NOES: None  
DISQUALIFIED: None  
ABSTAINED: None  
ABSENT: Brown, Maloney, Stephens

**Item 9 -- Area A3 – 2900-3300 Iowa Avenue**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Norton, **TO APPROVE** Area A3 as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES: Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary  
NOES: None  
DISQUALIFIED: None  
ABSTAINED: None  
ABSENT: Brown, Maloney, Stephens

**Item 9 -- Area B – 6642-6643 Lake Street**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Singletary, **TO APPROVE** Area B as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES: Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary  
NOES: None  
DISQUALIFIED: None  
ABSTAINED: None  
ABSENT: Brown, Maloney, Stephens

**Item 9 -- Area C**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Kurani, **SECONDED** by Commissioner Norton, **TO APPROVE** Area C as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES: Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary  
NOES: None  
DISQUALIFIED: None  
ABSTAINED: None  
ABSENT: Brown, Maloney, Stephens

#### **Item 9 -- Area D1**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Norton, **SECONDED** by Commissioner Kurani, **TO APPROVE** Area D1 as outlined in the staff report.

Commissioner Comer noted that this was an area outside the City limits for which the Commission has received testimony. He asked if there was an annexation in the process to annex into the City? If portions were annexed into the City, the General Plan would probably be designated as to what is proposed today.

Mr. Gutierrez replied that there were no immediate plans to annex the area. He explained that this was the General Plan for the Sphere, however, when the City does its plan for services and comes forward with an annexation request, a specific recommendation called pre-zoning will be made at that time. This does have some influence and will guide the decision but it will not be the final decision.

Commissioner Comer inquired why staff designated the areas, Center Street going north on Main Street the Business Office Park General Plan designation and south of that an Industrial General Plan designation. These are in essence neighborhoods and the proposal would say to those neighborhoods that the City prefers individual industrial properties.

Mr. Gutierrez replied that staff had a long discussion on this particular area with the Citizens Advisory Committee.

Commissioner Comer pointed out that the discussions did not include the people that lived there.

Mr. Gutierrez said that the public hearing process did its job and the Commission did hear a great deal of testimony early on from those residents. The recommendation from staff and the Citizens Advisory Committee, as they took the long view, is that 20-25 years from now that would make for a viable extension of the Hunter Business Park. Since that time the Commission has heard a great deal of testimony from the Highgrove residents requesting to remain residential. This is a viable residential neighborhood and staff thinks it should remain that way but over the long haul, industrial does continue to make sense. Should the Planning Commission want to leave this as residential for the time being and address it later as part of an annexation procedure that would be acceptable. He noted that an alternative would be to instruct City staff to work with the County and do a joint review of the area as a separate Implementation Measure.

Commissioner Comer stated he would suggest, especially in areas that aren't within the City's limits, that until the City receives a specific annexation request that they do not tell residents what the City's will is.

Commissioner Densmore agreed and felt this would cause unnecessary grief.

Commissioner Norton amended her motion and proposed leaving the Business Office Park and the area south of Center Residential.

Mr. Gutierrez agreed that staff could work with the County. He noted that an issue the City deals with is that as proposals are received by the County, they are forwarded to the City for review. If the City's General Plan simply corresponds to the County General Plan, that is the City's comment, however, if the City has a different vision for the area it needs to be stated now. It is an important consideration that must be made at this time, both in terms of what will happen in the future when it comes to the City but also how the City responds to development that occurs in the County today.

Commissioner Norton noted that the County tends to allow more density and other things than the City does and it definitely would apply since this is right on the City's border. She stated that she would leave her motion as stated unless there is a substitute motion.

Commissioner Sebelia said he agreed with Mr. Gutierrez. The one thing that the City can control right now, traffic being such an over running concern with everyone in the City, is the outlying areas that may be annexed. The County tends to have higher density than the City and as areas are annexed, the lower density will be an offset for the higher density the City is trying to obtain in its urbanized central core. He thought Industrial is appropriate because the City can control the traffic patterns and made a great deal of sense for the future. He did not believe the residents would be as grief stricken as the homes off the 91 freeway and will fight not to come into the City no matter what. This is a good plan, it is on the periphery of the City and this is the type of things the City should be considering. He stated he supported staff and what they have done here.

Chair Leonard informed the Commission he had a copy of the County General Plan and distributed it to the Commission. He noted that the County's exhibit showed their General Plan similar to the County designations.

Commissioner Densmore asked Commissioner Norton to repeat the motion.

Commissioner Norton stated that the motion was for the General Plan Business Office Park designation apply until it reached Center St., South of Center St. it would remain Residential as shown on staff's RMH plan until such time as an active annexation is taken and the area reconsidered.

Commissioner Densmore inquired if anyone recalled if there was any testimony from anyone north of Center.

Commissioner Kurani stated that he still felt that the City and County staff should have the opportunity to sit down and figure this out. As much as he agrees with staff's foresight that this is what may happen

or develop, there are too many residents there now. He would be uncomfortable to make any designation changes at this point in time.

Chair Leonard noted that this recommendation also calls for amending planning tool 10 in the Implementation Plan to place a particular emphasis on the Highgrove area, including community meetings with the Highgrove Community Services Area Committee.

Commissioner Sebelia stated that he does not recall ever seeing an indication that the County has worked with the City. The County does what it wants to do. The City needs to determine its own destiny and this is a great opportunity.

Commissioner Norton asked Commissioner Sebelia if he was in favor of the proposed General Plan designation as recommended by staff and if so, she would withdraw her motion.

Commissioner Sebelia stated he was supportive of staff's recommendation.

**MOTION MADE** by Commissioner Sebelia, **SECONDED** by Commissioner Norton, **TO APPROVE** Area D1 as outlined in the staff report.

Commissioner Comer staff's recommendation is that the area north of Center Street have an I designation. He noted that at Center Street, the first row of houses south of Center will be Business Office Park,

Mr. Gutierrez agreed that Commissioner Comer raised an excellent question. If the Commission agrees that Industrial is the 2025 vision for the area, they may want to consider the Business Office Park designation south of Center Street rather than the I. This would be consistent with the continuation of the Hunter Business Park.

Chair Leonard indicated that this was a recommendation to the Citizens Advisory Committee that they accepted

Commissioner Comer said that if this area were annexed to the City of Riverside and this is what the underlying General Plan, then the area would take on whatever the new Zoning was. This would place several 100 people's homes in a non-conforming status. Should these homes remain vacant for more than 180 days, they could not move back in and the property would stay vacant and would create a blighted circumstance.

Mr. Gutierrez explained that if the City were to proactively go out and annex this area, they would work with the Highgrove neighborhood, the County and the County Community Services Agency in place to recognize what exists. The City can keep the Zoning and General Plan inconsistent for the time being as well as the preparation of an annexation agreement. The area could be incorporated into the Hunter Park Specific Plan which has its own set of standards with a great deal of flexibility so that people would not be made non-conforming unnecessarily.

Commissioner Densmore inquired if this was approved would a realtor be bound to reveal to a potential buyer that this property was not within the City's boundaries but that it may, in the future, because it is



in the Sphere of Influence and is being considered for annexation? Would they be bound to say the area is designed Business Office Park or Industrial? If this is so, would it affect the current homeowner's ability to sell the home?

Mr. Gutierrez stated that he could not answer that question.

Commissioner Densmore stated that he would assume that it would and stated he was against this.

Commissioner Sebelia said that if Area D1 were adopted as proposed by staff at the time of annexation, pre-zoning would be part of the LAFCO process. At this point in time, because the City has recommended Industrial, the City will have some say with LAFCO. There is a possibility the County could entertain a development for 5,000 homes off of Center Street and should this happen, those homes will impact the City and freeway. He felt that the best use of the property would be Industrial.

Commissioner Singletary said that the Commission was looking at the General Plan, the vision for the future. He believed if staff recommended these designations eventually that is the direction it would take but he stated he would not support rezoning the area.

Mr. Gutierrez corrected Commissioner Singletary in that the Commission will not get to that action until an annexation request is submitted.

Commissioner Singletary said he was in agreement with a future vision of Business Park Industrial. The resident living there right now will not be affected by the Commission's decision here tonight and he was in support of the motion on the floor.

Chair Leonard said he was in favor of retaining the residential as shown on the staff plan west of Pacific Avenue and everything else becoming Business Office Park. The aerial photograph showed the residential area to be a strongly developed community. He stated he would oppose the motion.

**MOTION FAILED** by a vote of 4 ayes, 4 noes and 0 disqualified and 0 abstentions.

AYES:	Agnew, Norton, Sebelia, Singletary
NOES:	Comer, Densmore, Kurani, Leonard
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

Mr. Gutierrez suggested that the Commission entertain another motion or leave it as it stands with no recommendation.

**MOTION MADE** by Commissioner Comer, **TO DENY** staff's recommendation for Area D1 as outlined in the staff report and instruct staff to do pre-zoning that would be in substantial conformance to the County's Plan.

Commissioner Densmore stated he would oppose this motion as well for the same reason stated prior. He felt this would unnecessarily unnerve the people who live there. He did not believe Riverside would give up any bargaining powers that would come up when the issue of annexation came up.

**MOTION FAILED** due to the lack of a second. This will be referred to City Council with no recommendation.

#### **Item 9 -- Area D-2**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Kurani, **TO APPROVE** Area D-2 as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

#### **Item 9 -- Area E**

Chair Leonard read the proposal.

Ms. Jenkins announced that a letter was received on this item and it was included in the packet to the Commission this evening.

**MOTION MADE** by Commissioner Norton, **SECONDED** by Commissioner Kurani, **TO APPROVE** Area E as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

#### **Item 9 -- Area F-1**

Chair Leonard inquired if the area designated Park was public or privately owned. He asked what staff's reasoning for the park designation was. His concern is designating private property as park and therefore having no rights to the use of the property.

Ms. Jenkins responded that the property was owned by the County. This area is a linkage of the MSHCP and is consistent with the County's General Plan.

**MOTION MADE** by Commissioner Singletary, **SECONDED** by Commissioner Norton, **TO APPROVE** Area F-1 as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

#### **Item 9 -- Area F-2**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Norton, **TO APPROVE** Area F-2 as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

#### **Item 9 -- Area G**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Kurani, **TO APPROVE** Area G as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

## **Item 9 -- Area H – 4899 PaloVerde Lane**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Agnew, **SECONDED** by Commissioner Kurani, **TO APPROVE** Area A3 as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

## **Item 10 -- Area J – 3215-3245 Madison Street**

Chair Leonard read the description.

Commissioner Comer indicated that currently the property has M-2 Zoning designation eventhough the underlying General Plan is Medium Density Residential. The last General Plan gave the property a Medium Density Residential?

Ms. Jenkins replied affirmatively.

Commissioner Comer noted as well that the last General Plan didn't proceed with a General Plan/Zoning consistency and properties were left with an underlying Zone and the property rights they currently had.

Mr. Gutierrez explained that as part of that General Plan update, staff was asked to do General Plan/Zoning consistency cases on Council established priorities. Staff was unable to do many consistency cases due to the heavy work load. Those that staff did were focused on multiple family residential that were not consistent with the General Plan. His guess was that they did about 20 General Plan/Zoning consistency cases and did not have time to get to all of them.

Commissioner Comer said that what they were doing is consistently stating that Industrial is needed yet throwing out the John Husing report every time it was appropriate. He stated that the plumbing company has been there 30-40 years in a tilt up warehouse building that probably would not make sense for a mini-mart and staff is proposing to rezone this as well. He noted that the building across the street, heating and air company has recently refurbished the site and is actually a big improvement to the neighborhood.

**MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Singletary, **TO DENY** staff's recommendation for Area J and approve the I – Industrial General Plan designation.

Mr. Aaron pointed out that the Redevelopment Agency did appear before the Commission, representing the property owner of this site. This is something the property owner is agreeing to and it is not a question of taking away something from someone. He reiterated that the property owners themselves are requesting, through the Redevelopment Agency, that the subject properties be placed in a Commercial designation to facilitate a commercial node at that corner.

Commissioner Comer inquired if the property had an M-2 Zoning designation, would they be able to do a commercial center at the corner.

Mr. Gutierrez replied that under today's standards, yes.

Commissioner Comer withdrew his motion.

**MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Norton, **TO APPROVE** Area J as outlined in the staff report.

Commissioner Densmore stated that perhaps some of the confusion is because the proposed General Plan says Medium Density Residential and on the next page is staff's recommended General Plan designation for Commercial.

Mr. Aaron explained that this was the original General Plan Land Use Element that was published and recommended Medium Density Residential. Since that time, based on testimony at one of the hearings, staff has changed the recommendation to Commercial.

Commissioner Sebelia asked if the Commission were presented a plan and if they took staff's direction, would the Commission be requested to do a General Plan and Zone change on whatever staff believes Redevelopment has in mind for this corner?

Mr. Gutierrez said yes, if the site remained residential or industrial and someone came forward in the future with a request to do commercial, they would need a Zone change and a General Plan amendment.

Commissioner Sebelia stated that in this case, he would like to leave it as it is until someone came forward with a proposal.

Mr. Aaron added that an alternative is to direct staff to place a zoning on the property such as R-1-7000 which would require a Zone change but designate the General Plan for Commercial so that the rezoning would be consistent with the General Plan. He believes the Redevelopment Agency would like to see the Commission at least approve their intent that this be a Commercial site.

**MOTION CARRIED** by a vote of 7 ayes, 1 no and 0 disqualified and 0 abstentions.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Singletary
NOES:	Sebelia
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

## **Item 10 -- Area K – 3770 & 3780 Washington Street**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Norton, **SECONDED** by Commissioner Agnew, **TO APPROVE** Area K as outlined in the staff report.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

## **Item 10 -- Area L – 11503 Pierce St.**

Chair Leonard read the proposal.

Commissioner Comer recalled that the property owner has come before the Commission on several occasions. This has been a food processing facility in existence in La Sierra for some 30-40 years. Has it ever been a problem? He also asked if there would be any issues designating the property something that was substantially compatible in the future to what was allowed in the M-1 Zone.

Ms. Jenkins stated she has not heard of any problems with the site. She explained that the current General Plan designation is public facilities and it is really not a public facility. To be compatible with the M-1 designation the applicable General Plan designation would be I-Industrial. Staff is hesitant to apply this designation because of the surrounding land uses especially what appears to be a lot of residential uses backing up to the property. Staff is recommending the Business Office Park designation and the proposed implementing Zoning would be the BMP which would permit the use on the site now. This is appropriate and a better fit because of what the property backs up to, rather than going to a higher industrial use.

Commissioner Kurani noted that they have been there for a long time, it is more reasoning to leave them as they are. They have been good neighbors. He felt that redesignating them would create problems for the property owner.

Mr. Gutierrez said that he disagreed because today the current use fully complies with both the Business Office Park General Plan designation as well as the BMP Zoning. When you look at this in terms of setbacks, meeting performance standards and other development standards, they fully comply with the BMP Zoning. This recommendation would not affect the current use at all but would send a message to any future land owners that they would need to comply with the BMP especially when it comes to certain types of land uses, the development standards, and performance standards to help ensure compatibility with the surrounding land uses.

Chair Leonard announced that they were approaching the 9:00 pm hour. He proposed to get through Area N tonight, taking care of the Jurupa Avenue issues and resume with Area O at the next meeting. He asked if the Commission was willing to stay on a little longer.

Commissioner Norton motioned to suspend the rules.

**MOTION MADE** by Commissioner Norton, **SECONDED** by Commissioner Comer, **TO APPROVE** Area L that the proposed General Plan designation be I-Industrial.

Commissioner Densmore expressed his concern that this property owner has appeared at the hearings several times and has invested a lot on their property. The property owner is requesting I-Industrial, what is staff's rationale that Business Office Park would be sending the right message to this particular property owner versus the people around him. This particular property owner is the one that spent the money to bring it up to where it is today.

Mr. Gutierrez said that it was his understanding that what they have done is fully consistent with the Business Office Park General Plan designation and the Zone that would implement that, BMP Zone. Staff is sending the message that, yes they appreciate what they have done and the proposed Zoning and General Plan designation is fully consistent with what they have done and how the facility is operated. The Business Office Park designation in staff's opinion is a better fit and makes an industrial use more compatible with the surrounding neighborhood, which is largely industrial, institutional and commercial, it has larger setbacks, higher development standards and minimizes some outdoor uses and outdoor storage issues that make it a better neighbor in the area and still allow this particular property owner to do exactly what they intend to be doing. He was not aware of any issue that did not fit. The property owner is not present tonight, if the Commission would like to continue this and research this issue, staff would be happy to do so.

Commissioner Densmore said he would certainly favor a continuance, this person has come before the Commission in the past and has been very specific about what they want to do and has made major investments. He would like to see that at least staff is stating they understand but disagree.

**SUBSTITUTE MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Kurani, **TO CONTINUE** Area L to June 9, 2005 and instruct staff to get together with the property owner.

Commissioner Comer commented that this was putting the cart before the horse as they may not adopt the Zoning as per staff's recommendation and may do something different. This is one of those difficult decisions and he didn't know that putting it off would do anything and wasn't in favor of the motion.

Chair Leonard reminded the Commission that the property owner has said that the BMP Zone fits generally with the uses they currently have at their facility, if their plans change there is a process to amend the General Plan and Zoning to accommodate those changes.

Commissioner Sebelia agreed and read from the letter received May 9, which indicates that the I-Industrial fits with the property owner's future growth. Staff has done a great job of stating that the current use fits with recommended designation. This is a General Plan hearing not Zoning but the

facility's operation fits BMP. He believed staff's intent would be that they would be happy with what he does now but not with what someone may do with I-Industrial in the future adjacent to residential. He added that the wording future growth in the letter just jumped at him. He would go along with staff's recommendation. The property owner could always come in if he wants to change something.

Mr. Gutierrez agreed and noted that this was an entrance into La Sierra University, into the Town and Gown Center La Sierra University is developing and part of the Riverwalk Development.

Commissioner Norton withdrew her motion.

Commissioner Kurani stated he still agrees that staff should have some dialogue because the gentlemen did come in a few times.

Commissioner Norton requested clarification on motion to continue and whether the property owner would be asked to come next Thursday.

Ms. Smith stated that if the property owner is invited to speak at the next meeting, the Commission will open the public hearing and would take public testimony from that individual and everyone who may want to speak on these issues. She reiterated that they are reopening the public hearing.

Commissioner Densmore stated his motion still stood. His motion was not necessarily that the property owner come to the meeting but that staff meet with them and report back.

Chair Leonard stated that the property owner can approach the Commission in public testimony prior to the Zoning designations that the Commission will consider, as this is where the allowable uses will come up. If the Commission gets into the Zoning portion of this process and finds that it is not conducive for the operation, they can review the property General Plan designation at that time.

Mr. Gutierrez also indicated that Riverside is a Charter City and can have General Plan/Zoning inconsistency.

**MOTION FAILED** by a vote of 4 ayes, 4 noes and 0 disqualified and 0 abstentions.

AYES:	Agnew, Densmore, Kurani, Singletary
NOES:	Comer, Leonard, Norton, Sebelia
DISQUALIFIED:	None
ABSTAINED:	None
ABSENT:	Brown, Maloney, Stephens

**MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Comer, **TO DENY** Area L as proposed by staff and instead designate the site I-Industrial.

**MOTION CARRIED** by a vote of 7 ayes, 1 no and 0 disqualified and 0 abstentions.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Singletary
NOES:	Sebelia



DISQUALIFIED: None  
ABSTAINED: None

### **Item 10 -- Area M and N**

Chair Leonard read the proposal.

**MOTION MADE** by Commissioner Densmore, **SECONDED** by Commissioner Kurani, **TO STOP** the Commission meeting and not suspend the rules.

**SUBSTITUTE MOTION MADE** by Commissioner Comer, **SECONDED** by Commissioner Norton, **TO DENY** Area M as proposed by staff and instead designate the site I-Industrial.

Commissioner Norton inquired if an action taken by the Planning Commission goes forward to City Council and is approved creating a need for the property owners to file a CUP or minor CUP is it in their purview to address any sort of amnesty issues at this time.

Ms. Smith said that Commissioner Norton was referring to a connection with the Zone Change, not the General Plan designation. Currently the Zone doesn't require a CUP or minor CUP but the proposed changes would require a CUP. She noted that the property owners do not have to apply for a CUP and can continue their operation. They would be a legal non-conforming use as long as they were legal to begin with and would not have to come in for a CUP unless they change their use or expand their operation.

Commissioner Norton by filing a CUP would make them a conforming use as opposed to nonconforming use.

Ms. Smith replied affirmatively.

Commissioner Densmore stated that this is one of the major items that has received a lot of testimony. He is looking at Mr. Percy's letter and certainly remembering everything that Ms. Sparkman has said. The commissioners are proceeding under the assumption that the Zoning will result in doing away with the M-1. Everyone that has spoken has stated that if this has to be done that they would prefer the Industrial designation. He stated he was not in favor of Office Park or BMP. If they must change the current General Plan it should be something as close as possible to what they already have.

Chair Leonard asked that if the Commission could modify the boundaries as defined by Area M. He would propose that everything north of Jurupa from Fremont to Van Buren be I-Industrial. That would take care of M and N.

**SUBSTITUTE MOTION MADE** by Commissioner Norton, **SECONDED** by Commissioner Comer, **TO DENY** Area M as proposed by staff and instead designate the Area M and everything north of Jurupa from Fremont to Van Buren, I-Industrial.

Mr. Gutierrez asked for clarification, the motion includes everything north of Jurupa between the park and Van Buren Boulevard which would include the Toro facility. He had significant concerns about

doing this. Toro has spoken with the Commission in the past about trying to upgrade this area, trying to create areas for large corporate uses that compliment what they have done. The I designation will allow much smaller uses and heavier type of uses not consistent with Toro. This is in a Redevelopment Project Area, if the Commission would like to do that he would certainly like to hear the Redevelopment Agency's point of view. They will have severe concerns as well.

Chair Leonard commented that they have heard testimony every session that there are a number of properties throughout the City designated BMP and very little designated for I. This is an area that is not really on an entryway of anything which is rare. He felt that there could be provisions built into the Zoning Code that would address Toro's concerns.

Commissioner Kurani agreed with Chair Leonard.

**MOTION CARRIED** unanimously.

AYES:	Agnew, Comer, Densmore, Kurani, Leonard, Norton, Sebelia, Singletary
NOES:	None
DISQUALIFIED:	None
ABSTAINED:	None

Chair Leonard thanked everyone for attending. The Commission will resume with deliberations on Area O at the next hearing.

## **B. ADJOURNMENT:**

Adjournment to the June 9, 2005 meeting at 9:00 a.m. in the Art Pick Council Chambers.